



'Failure in our system': after Hannah Clarke and her children's murder, experts call for action

BY BRINKWIRE ON FEBRUARY 29, 2020

Rowan Baxter's killing of his family in a car fire in Brisbane followed a pattern of behaviour familiar to domestic violence specialists

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"I told you: this is your fault."

Rowan Baxter confronted his estranged wife, Hannah Clarke, in a suburban Brisbane park on Boxing Day before taking their daughter Laianah, placing her in a car and fleeing the pre-arranged contact visit.

The abduction was one example of Baxter's increasingly frightening behaviour since the couple separated in early December, described to Guardian Australia by friends and family members. It culminated on Wednesday in a horrific incident during the morning school run when Baxter allegedly poured petrol on his family and set them alight. The children – Laianah, 4, Aaliyah, 6, and Trey, 3 – died in the car after it burst into flames, and Clarke succumbed to burns at the Royal Brisbane and Women's Hospital later that night.

His murder of the family played out in three familiar acts.

The domestic abuse escalated to the point Clarke left the relationship and took the children to live at her parents' house. Separated from his family, Baxter sought to regain control. He made public declarations of love for his children on social media that carried the implication he was an aggrieved father.

And finally, as cars began ferrying children to school in Brisbane's southern suburbs on Wednesday morning, Baxter hid in the bushes at Camp Hill and did what criminologists call "changing the project".

"We know from the research, and what we often tell police and service providers is, to look for evidence that the perpetrator is changing the project," says Claire Ferguson, a forensic criminologist and homicide researcher. "Whereas the project was most likely previously being about regaining control, we're looking for those instances where the goal isn't about regaining control any more, but it changes to be about punishment and revenge. You can see that so clearly in a number of intimate-partner homicides we've had in Queensland."

'We talked about different types of abuse ... she experienced them all'

Clarke had been a trampolining champion who represented Queensland; Baxter a rugby league player in New Zealand who was briefly contracted to the Warriors but never played a game at the highest level.

The couple ran a gym together for several years, but the business closed its doors in December when Clarke left the relationship.

Manja Whaley, a domestic-violence support worker, who became a friend of Clarke, said Clarke confided in her about a pattern of domestic violence late last year. "We talked

about the different types of violence including financial abuse, sexual abuse, emotional abuse, and [Hannah] experienced all of them,” Whaley wrote on social media.

Family members have made several comments about Baxter in recent days, including claims that he appeared to be monitoring Clarke’s phone. Guardian Australia has confirmed Clarke complained to police about an assault when Baxter grabbed her by the wrist and twisted her arm.

The extent of police interactions with the couple remains unclear. On Thursday, before being stood down from the investigation, police detective inspector Mark Thompson said domestic violence orders had been granted against Baxter and there had been “a number of engagements of police” between the couple.

“I can confirm Queensland police have engaged with both Hannah and her estranged husband in relation to domestic violence issues,” he said. “When it comes to Hannah, we have dealt with her on a number of occasions and worked with the Brisbane Domestic Violence Centre in supporting Hannah throughout her family issues. And we’ve also referred Rowan Baxter to support services as well.”

Preventable and predictable

Witnesses say Clarke screamed “he’s poured petrol on me” as she jumped from her flaming car on Wednesday morning. Baxter reportedly shouted at onlookers who were attempting to help, before re-entering the car and stabbing himself in the chest with a knife. The three children were all killed in the car. Clarke died in hospital that evening.

Police initially suggested their task was to review interactions between the family with an “open mind”, though the Queensland police commissioner, Katarina Carroll, later apologised on behalf of the officer who made the comment and stood him aside from the investigation.

What is immediately clear is how the interactions between the family appear to follow a pattern. Kerry Carrington, an expert on gendered violence from the Queensland University of Technology, said the murder was preventable because Baxter’s pattern of behaviour was predictable. “Had we had the kind of supports in place to protect and support women in that period, and we don’t have it, then a lot more could have been done.”

Molly Dragiewicz, a domestic violence research professor from Griffith University, told Guardian Australia that a period of separation heightened the risk of violence. “What happens is once a couple separates, the abuser loses a lot of routine ways of controlling the family they had before, so that contact around children becomes one of the primary

avenues for abuse. Somehow that system doesn't really recognise the intensity of the risk at separation. We know there is an escalation of risk at separation."

Ferguson said Baxter's abduction of his younger daughter during a contact visit would have been an example of his escalating attempts to regain coercive control. While the pattern of "changing the project" was typical and often easy to see in hindsight, Ferguson said triggers could be highly personal and difficult to identify. "It might be something that's quite small and specific to the particular perpetrator that makes them understand that their efforts to gain control have not worked or they're not going to work."

Perception is power

Thompson was the lead investigator on the case before he was stood down for the comments he made about how police were keeping an "open mind" and suggested Baxter may have been "pushed too far". Carroll accepted the comments were "victim blaming" and not acceptable, but others have pointed to a broader concern: that the comments may point to a policing approach that failed to recognise the risk factors and escalation of Baxter's behaviour.

Thompson told a press conference that police were examining differing narratives that had emerged in social media posts. Ferguson said Baxter's own posts about his children appeared to be "just misogyny wrapped up". "In that situation, if he doesn't take the victim status, then he loses quite a lot of status," Ferguson said.

Whaley said abusers knew that "perception is power". "The more he convinced the public of the love for his children ... the more he was able to exercise his coercive control by isolating [Hannah] and manipulating others into perceiving him as being a good partner."

Women's advocates say the safety of complainants should be paramount in any domestic violence situation, and they point to many cases where police and court action has failed to effectively protect women when matters become complex, or where perpetrators and their supporters promote a drastically different version of events.

"If police are now implying that a murdered woman might be at fault, then that to me raises critical questions about whether they took the threat to her safety seriously enough," said Renee Eaves, a victims' advocate who has helped dozens of domestic abuse sufferers in their interactions with police. "Police seem to think women make up complaints or are complicit, and as a result they fail to protect them."

Angela Lynch, the chief executive of the Women's Legal Service Queensland, said police often framed domestic violence cases as "tit for tat between two parties, rather than an abusive pattern of violence". She said domestic violence matters were often not dealt

with effectively, and that police and the family law system should act to prioritise the safety of those involved, rather than treating incidents as difficult family law matters.

What needs to change?

In Queensland the watershed moment for protecting women from domestic abuse was supposed to be the 2015 Not Now, Not Ever report, a document which made 140 recommendations that were all adopted by the government. The state has integrated specialist teams that take on high-risk domestic violence cases, including one in Brisbane. It is unclear whether Clarke was treated as a high-risk victim. Lynch said that program, like all domestic violence services, was reliant on resourcing and that all were “under enormous stress in relation to their ability to respond”.

The Women’s Legal Service has for several years been calling for a broad review of the police and legal system in relation to victims of domestic and sexual violence. Lynch said the group had also recently called for an audit to better understand the underlying attitudes of frontline police.

“There is a failure in our system to recognise coercive and controlling tactics, especially in the family court system,” she said. “We push responsibility back on women to look after their own safety. They’re frightened, and it’s a complex system.”

Lynch said about 40% of calls to the women’s legal service went unanswered due to resourcing constraints. “Not Now, Not Ever provided a direction for government and a pathway forward, but it’s five years old now and the world changes quickly. It’s quite clear we must use these tragic circumstances as the catalyst for change. We need another taskforce. We need another 140 recommendations. We can’t think what we have already done is enough.

“We have one woman being killed every week in Australia. The situation is still dire for many women.”